

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 18261-AD19-0930-103

IN THE MATTER OF: )

Brinkley G. Carter )  
184 Euclid Street, )  
Winston-Salem, NC 27106 )

Applicant. )

Type of Agency Action: Enforcement )

Application ID: 712001 )

**FILED**

NOV 07 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Brinkley G. Carter ("Applicant") of the following Administrative Order:

1. Applicant submitted an application for licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on May 16, 2019.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
3. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for having been convicted of a felony.
4. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for using fraudulent, coercive, or dishonest practices,

or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana, or elsewhere.

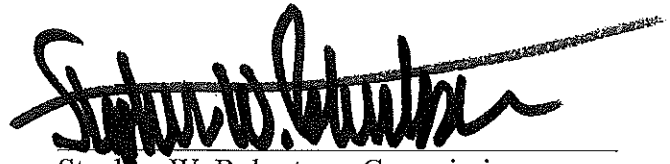
5. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
6. Following a review of materials submitted by the Applicant and a review of public records, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure, as stated by Indiana Codes §§ 27-1-15.6-12(b)(6), 27-1-15.6-12(b)(8), and 27-1-15.6-12(b)(9) due to Applicant's December 14, 2001, conviction for Possession of Marijuana, a Class 3 Misdemeanor, and a March 3, 2003, conviction for Conspiracy to Traffic in Marijuana, a Class H Felony, as well as for the following administrative actions:
  - a. June 17, 2019, the State of Michigan's Department of Insurance and Financial Services denied Applicant a nonresident producer licensure due to applicant's criminal history;
  - b. June 21, 2019, the Commonwealth of Virginia's Bureau of Insurance denied Applicant a nonresident producer licensure due to applicant's criminal history; and
  - c. June 27, 2019, the South Dakota Department of Labor & Regulation denied Applicant a nonresident producer licensure due to applicant's criminal history.
7. Indiana Code § 27-1-15.6-12(d) provides that the Applicant may, not more than sixty-three (63) days after notice of denial of the applicant's application is mailed, make written

demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.

**IT IS THEREFORE ORDERED** that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes §§ 27-1-15.6-12(b)(6), 27-1-15.6-12(b)(8), and 27-1-15.6-12(b)(9) due to Applicant's criminal history. Applicant may reapply for licensure not less than one (1) year from the date of this order.

11-7-2019

Date Signed



Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

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